

MINUTES
PLANNING AND ZONING COMMISSION MEETING
COLUMBIA CITY HALL COUNCIL CHAMBER
701 EAST BROADWAY, COLUMBIA, MO

JUNE 8, 2017

COMMISSIONERS PRESENT

Mr. Rusty Strodtman
Ms. Tootie Burns
Ms. Lee Russell
Mr. Anthony Stanton
Mr. Dan Harder
Mr. Brian Toohey
Mr. Michael MacMann

COMMISSIONERS ABSENT

Ms. Sara Loe
Ms. Joy Rushing

I) CALL TO ORDER

MR. STRODTMAN: Good evening, everyone. I'd like to go ahead and call the June 8, 2017, City of Columbia Planning and Commission to order. May I have a roll call, please.

MS. BURNS: Yes. We have seven; we have a quorum.

MR. STRODTMAN: Thank you, Ms. Secretary.

II) APPROVAL OF AGENDA

MR. STRODTMAN: Any changes to our agenda, Mr. Zenner?

MR. ZENNER: Yes. There will be one change from the published agenda and that is that Case Number 17-132, which is a public hearing for a rezoning request off of Savoy has been requested to be tabled.

MR. STRODTMAN: Okay. We'll make that note. Thank you. Is there any other changes?

MR. ZENNER: There are no other changes other than that, sir.

MR. STRODTMAN: Thank you.

III) APPROVAL OF MINUTES

MR. STRODTMAN: Commissioners, you have the May 18th minutes from our regular meeting. Was there any corrections or modifications needed to those minutes? I see none. Let's do a thumbs up on the minutes approval from June 18th -- or sorry -- May 18th.

(Unanimous vote for approval.)

MR. STRODTMAN: Okay.

IV) WITHDRAWN ITEMS

Case No. 17-107

A request by Crockett Engineering Consultants (agent) on behalf of Bristol Lake Home Owners Association Number 1, Inc. (owner) to annex 0.79 acres into the City of Columbia and apply R-1 (One-family Dwelling

District) as permanent zoning. The subject site is located approximately 500 feet east of Bearfield Road, 1,300 feet north of Gans Road, and north of Lot C4 of Bristol Lake Plat 1 subdivision.

MR. STRODTMAN: We have the first case, it would be Case 17-107 has been withdrawn, so I'll turn it over to staff.

MR. ZENNER: This is Case 17-107. This was Bristol Lake HOA Number 1. This was an annexation and a permanent rezoning request located just 500 foot east of Bearfield Road and 1,300 north of Gans at the backside of Bristol Lake. The applicant has requested withdrawal of the project pending resubmission to address particular staff concerns with the initial application. It is possible that this project will come back to incorporate the subject parcel here in red and the much larger parcel that you see here that lies outside the City's corporate limits. At this time, there is no additional action that needs to be taken.

MR. STRODTMAN: Thank you, Mr. Zenner. We'll consider that case withdrawn.

V) TABLING REQUESTS

MR. STRODTMAN: Going to our first table request.

Case No. 17-128

A request by A Civil Group (agent) on behalf of Discovery Park Apartments, LLC (owner) for a major amendment to the "Lots 4 & 5 Discovery Park Subdivision Plat 2B" PD (Planned Development) Development Plan approved on 1/27/15, to be known as "Lots 4, 5, and 5A Discovery Park Subdivision Plat 2C" PD Plan. The 17.55-acre subject property is located at the southwest corner of Nocona Parkway and Ponderosa Street. (Applicant is requesting that this item be tabled to the June 22, 2017 meeting.)

MR. STRODTMAN: Any additional staff reports or anything needed?

MR. ZENNER: No. Just an explanation for the tabling request. As you noted in the description of this project, Lot 5A is being created. It is the lot that actually will incorporate the development's clubhouse that is located in this particular area. An issue had arisen prior to production of the staff report that did not identify and did not provide an access easement necessary in order to meet requirements within our new Unified Development Code. As a result of that, the applicant has requested the tabling to our June 22nd meeting.

MR. STRODTMAN: Thank you, Mr. Zenner. As is our past practice, this is not a public item, but if there is anyone here that came tonight for this case, Case 17-128, either for or against the tabling request, you're welcome to come forward and speak on that item. If not, Commissioners, any further discussion needed on this tabling request? Would you like to make a motion? Ms. Burns?

MS. BURNS: I move to table Case 17-128. It pertains to Lot 4 and 5 Discovery Park Subdivision.

MR. MACMANN: Second.

MR. STRODTMAN: Thank you, Ms. Burns, for that motion to table. Mr. MacMann seconded.

Any discussion needed, Commissioners? If not, Ms. Burns, when you're ready.

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Russell. Motion carries 7-0.

MS. BURNS: Seven to zero, motion carries.

MR. STRODTMAN: Going to our second tabling request for this evening.

Case No. 17-132

A request by Crockett Engineer Consultants (agent) on behalf of Phil and Erin Teeple (owners) to rezone 4206 Savoy Drive from R-1 (One-family Dwelling District) and A (Agricultural) to R-MF (Multiple-family Dwelling District). This 3.99-acre subject site is located on the east side of Strawn Road, approximately 900 feet north of Worley Street.

MR. STRODTMAN: May we have a staff report, please?

MR. ZENNER: Yes, we can, sir. This is a request to table the specific rezoning request, A and R-1 to R-MF. The applicant is desiring to have any opportunity to discuss the request and obviously the concerns of the residents that are here this evening that have been submitted to you in a petition, as well as in supplemental petition materials that were provided to you earlier this week. Prior to proceeding forward, they have requested a tabling until the June 22nd, meeting. And it is my understanding, based on our staff member that is handling this case that the applicant themselves or the applicant's agent, Crockett Engineering, will be reaching out to the homeowners association to arrange a meeting in which they have a discussion over this project prior to the June 22nd meeting. There has been a published staff report associated with this. That published staff report will be carried forward to your June 22nd meeting. It does bear a recommendation -- a staff recommendation on this request of denial. That recommendation may be adjusted as a result of whatever communication we receive from both the homeowners association or the resident applicant if a modification is made to the application at hand. That would be handled as a supplemental memo on top of the existing published staff report. There will be no additional advertising submitted since this has been publicly advertised for this evening's meeting and is being formally tabled at this public hearing.

MR. STRODTMAN: And this is the first and only request for tabling. Correct?

MR. ZENNER: That is correct. Of the two zoning -- of the two requested -- or the two opportunities for the applicant to table, this is the first of their tabling requests. Staff is historically supportive of tabling requests to allow for applicants to engage their adjacent property owners to ensure that all opportunities to have potentially mitigated any impacts or concerns have been addressed. Therefore, we would support the request to table. We realize it is an inconvenience to the residents that have come out here this evening. Unfortunately, these things do happen. We did attempt through email notification to the HOA contact that we had reached out to them the day we received the actual correspondence for the requested tabling, and obviously it didn't get to everybody. But we also have

informed the public that we cannot presume what the Commission may do either, so these residents that have shown up this evening showing you that they are concerned about this particular item.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, any questions for staff? Mr. MacMann?

MR. MACMANN: I have a question/request. Director Zenner, would it be possible to send a polite notice back to the HOA. Many of you are here, but to make sure that the HOA officially knows we've been rescheduled to the 22nd at this juncture?

MR. ZENNER: I will go ahead -- provided that that's the direction of the Commission this evening, I will be more than happy to request that Mr. Smith provide that to the HOA in our mailing list that we have, which identifies the property owners within 185 feet of the subject site.

MR. STRODTMAN: We can make it as part of the motion if it gets to that point, but we'll take -- admit it.

MR. MACMANN: All right.

MR. STRODTMAN: Any other additional questions for staff, Commissioners? As is in past practices, audience, we will allow -- you are here tonight. But what I would like to ask is that there's a lot of you here tonight. Okay? And so, I -- and nothing personal, but I would prefer not to have to listen to all of you, especially -- especially if it has the same -- you have the same message. So what I would like to recommend is this, is -- and we don't have to allow discussion, but it's something that we've done in the past, and so I would like to continue it, and it's -- it's an honor to you because you came out this evening, so we respect that and we want to give you that because you may not be able to come on June 22nd. But what I would like to do is this. I'd like to have one person come up that's against the tabling request. If you're against us tabling this -- this item -- if we do not table this item, we will discuss this item, and we'll go through the process just like we would normally and we may approve it or we may deny it based on staff's recommendation and then it would go to City Council. If we table it and the Commission approves the tabling request, then it would go to June 22nd, and then you would -- everybody in this room would have a chance to speak at the June 22nd, so you're not giving up your right to speak if -- you know, by not speaking tonight because I don't -- again, don't want everyone to come up here. So my suggestion is is if -- if there's somebody in the audience that's against us tabling this to allow you and the applicant time to discuss this so that everyone has the feeling that everyone had a chance to speak about it to the applicant, the applicant had a chance to respond, you had a chance to work through that situation before it comes back to us, we would prefer that than to rush through it and assume that you've had to discuss your concerns and they're not -- they haven't been addressed. So we would rather have time for your concerns to be addressed by the applicant and the City staff, and hopefully rectify your concerns before it comes to us so that we can pass it if that's the recommendation that is before us and it's the right thing. It still may come back to us on June 22nd because the applicant may not be able to come to agreement on your concerns, and so it may the same project on June 22nd with the same denial that staff is

recommending that has already been recommended. So I just wanted to explain that. So if there's somebody for us not to table this event -- this application and we'll go through the process tonight and come forward and speak against us tabling it. If you're okay with us tabling it, then one person could come up and say that that's okay, too, or you don't even have to come up if you don't want to. So I just don't want the whole group to come up and speak. So I'll give you a second if you wanted to look amongst yourselves if that's appropriate and not fight.

MR. QUILLO: There's a slight complications. There's two HOAs involved.

MR. MALON: Yes.

MR. QUILLO: There's two separate groups. There is one gentleman here speaking for the --

MR. STRODTMAN: That's fine. And I'll let -- I'll let -- you guys are both representing the HOAs?

MR. QUILLO: The HOAs.

MR. MALON: Each of the HOAs. We have two.

MR. STRODTMAN: Is that --

MR. MALON: Yes. Is it okay to --

MR. STRODTMAN: And there's only two. Right? So everybody is okay with the HOA representatives speaking only, and then that would be the only groups that are going to be speaking this evening?

MR. QUILLO: All right.

MR. STRODTMAN: And so also when you come up to the podium, if you'll give us your name and address, the two gentlemen there, and maybe let your -- if you are, you know, a member, you know, give your HOA and maybe your role, if you have a role within that.

MR. MALON: My name is Richard Malon, and I live at 3801 Ivanhoe Boulevard, and I'm a member of the HOA 1 of the Vintage Falls Development. Is this -- I take the comments right now are just whether we should or should not table. Correct?

MR. STRODTMAN: Correct. It's not about the project, you know. I mean, you can say that you're not for it and that's why everybody is here, or you can say that you are for it and that's why everybody is here.

MR. MALON: We are opposed to this totally, and we are opposed to having you table it tonight. This project has been advertised. We've had meetings of information that was given to us. We have not had any information on what this project is going to be. We have not had any information other than the fact that it's a rezoning for R-MF. We don't know what it is, we don't know what it's about. It's not been shared with us and we think, at this point, there's no point in delaying it any further. We would urge that you just proceed to hold a hearing and deny it as recommended by the staff. Thank you.

MR. STRODTMAN: Are there any questions for this speaker?

MS. RUSSELL: I have one.

MR. STRODTMAN: Yes, Ms. Russell -- Ms. Russell.

MS. RUSSELL: Did you receive any notification from –

MR. MELL: We have received notification this -- we had a meeting, an information meeting with the folks from the staff. We've received notifications about this meeting.

MS. RUSSELL: Did you have notification of the tabling proposal?

MR. MELL: We just found that out tonight.

MS. RUSSELL: Okay. Thank you.

MR. STRODTMAN: Any additional questions? Thank you, sir.

MR. MACMANN: Mr. Chairman?

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: I -- we skipped a procedure, and I was going to say something. I'm sorry, sir. I'm not taking your time.

MR. QUILLO: No. Go ahead, please.

MR. MACMANN: Just for the purposes of disclosure, one of the members of the HOA approached me and expressed their general concern like we heard it this evening. And I also ran into Mr. Crockett and was having a conversation on another matter, and he informed me of the opposition that he was aware would happen. So in purposes of disclosure, I wanted to let the other chair -- council people -- commission people know that I've actually had those contacts.

MR. STRODTMAN: Good point. And I did forget to discuss that matter, so thank you for bringing that to my attention.

MR. MACMANN: Okay.

MR. STRODTMAN: Are there any other Commissioners that have any extracurricular activity on this matter that would like to bring it forward? Thank you. Yes, sir. It's all yours.

MR. QUILLO: My name is Art Quillo; I live at 4203 Fritz Court. I'm the president of the HOA Board for Vintage Falls, Phase 2. As I said when I stood up, so I didn't -- whatever. There's two HOAs. Obviously, all of these people here, and if I asked them to stand up, all those are in favor of moving forward and not tabling, and all are -- and who are against, I'm sure this whole -- whole audience would stand up. We -- I received an email from a gentleman in the City yesterday afternoon at, like, 4:00 that there was a possibility that this was going to be tabled. And what I was told was it wasn't going to automatically be tabled, that you guys had the choice to table or not.

MR. STRODTMAN: That's correct.

MR. QUILLO: That's why all these people are here. They don't want it tabled; they want it addressed. So I could tell you all the things we're against, but you didn't ask for that, so does --

MR. STRODTMAN: That's correct.

MR. QUILLO: -- satisfy what you're after?

MR. STRODTMAN: That is good. Commissioners, any additional discussion? Thank you, sir. Is there anyone in the audience that's for the tabling request? I'll give that group a chance to come forward

if there is such a group or individual here. I see none. Commissioners, discussion on this tabling request? Not all at once. Mr. Stanton?

MR. STANTON: This is a special situation here.

MR. STRODTMAN: It's a first.

MR. STANTON: I'm usually in support of tabling. That means that there's more room for a win-win situation to occur. But for lack of information, I'm still in support of tabling it. I think there's a lot of stuff that might need to be discussed.

MR. STRODTMAN: Additional Commissioners, any additional --

MR. MACMANN: I have a --

MR. STRODTMAN: Go ahead, Mr. MacMann.

MR. MACMANN: -- question. Do we have anyone from Crockett or from the owners here?

MR. STRODTMAN: Any representatives from the applicant in the audience tonight? Yes. Mr. MacMann, is that your only question?

MR. MACMANN: Yeah. I just wanted to -- it's awesome to hear from everyone, and I just -- you know, they moved to table and not shown up. That's --

MR. STRODTMAN: It's a unique -- unique situation.

MR. MACMANN: It is a unique situation.

MR. STRODTMAN: It's not usually the case. Yes, Ms. Burns?

MS. BURNS: If we move forward and vote on this, it could be brought back at another time; is that correct? Not this particular case, but a separate discussion between the homeowners and the developer with a different plan; is that correct?

MR. STRODTMAN: That's -- I think -- I mean, I'm not answering the question or I didn't understand correctly. If we table it -- if we don't table this this evening, then we'll go to the next case and then we'll go back and this would be the last case that we get to this evening --

MS. BURNS: Okay.

MR. STRODTMAN: -- because of the order that it is. And then we'll go through that process. We'll have a staff report. We'll have public input. We'll go through the -- you know, we'll look at the whole thing, and then we'll vote at the end for either approving it, denying it, maybe need additional questions answered, you know. Maybe need more help. I don't know.

MS. BURNS: Just to clarify. You say if we vote not to table it, we will still discuss it?

MR. STRODTMAN: It would be on our agenda because it is a -- it's a -- it's a public hearing, published public hearing with a last-minute tabling request that we do not have to grant. But in the past, we typically do grant public hearing -- or tabling requests because, as Mr. Stanton mentioned, it's usually an opportunity for the sides to continue discussion. Now, it seems that the side that's here is done discussing and am I -- I think I'm pretty clear on that.

MS. BURNS: If I could continue then, it seems like if there was an opposing side, that they

should have considered that what our procedure could be and to come for the discussion that should be occurring tonight.

MR. STRODTMAN: I can't assume anything, but, yeah. I mean, that would be a logical -- yes. Oh, sorry. Mr. Stanton?

MR. STANTON: Yeah, that's true. But we do allow for two tablings. It is kind of silly to me that you wouldn't be here just in case we didn't table it, but it's been our tradition to honor tabling. I've never not tabled something requesting to be tabled.

MR. STRODTMAN: In my six or seven years, we've only done it based on number of times of request and not the first time. It's based on that applicant asking for multiple tablings, and we cut it off at that point. I'll also let the audience know that if we do table it, then if you can -- if you can come on June 22nd, you'll have the opportunity to speak. If you've already given us the -- your letter -- we've received quite a bit of comment from -- from you folks, and so that information will be maintained. You can still send stuff to staff over the next couple -- you know, couple of weeks, you can still send stuff to staff if you didn't have a chance to or if you thought about something different, or if, during your discussions with the applicant, you wanted to say something more, you can still give us that information, so everything will still be given to us even if our tabling request, just for clarification. Commissioners? Mr. Toohey, do you have a thought down there?

MR. TOOHEY: So -- but if we go ahead and -- and hear this tonight, and go ahead and make a decision, then it's being forwarded to Council --

MR. STRODTMAN: Correct. Just like we do --

MR. TOOHEY: -- without any type of --

MR. STRODTMAN: Right. We can approve the project tonight and send it to Council, and then the group in front of us would -- you know, and it would need to go Council regardless because Council -- we could deny and Council could approve it.

MR. TOOHEY: I just want to point that out before we go forward.

MR. STRODTMAN: Mr. Stanton?

MR. STANTON: The lack of the other side of the discussion does weigh heavy. Even if I decide to table it, I would definitely remember that on the 22nd. But I don't feel comfortable with not having both sides represented. That's my concern with it.

MR. STRODTMAN: If we -- if we didn't table it, you mean?

MR. STANTON: If we didn't table it, there's no counter-attack; there's no counter-defense.

MR. STRODTMAN: But that was not required. That is also not required.

MR. STANTON: Okay. And it's not required.

MR. STRODTMAN: They knew that, just like these folks knew it, too. One needs to break the ice. Mr. Stanton, I knew I could count on you. Warm us up. We've got something to discuss?

MR. STANTON: In Case Number 17-132, for the 4206 Savoy Drive rezoning, I move to table it

until June 22nd's P & Z meeting.

MR. STRODTMAN: Thank you, Mr. Stanton, for that motion.

MR. TOOHEY: I'll second that.

MR. STRODTMAN: We have a motion on the floor for a tabling of Case 17-132 by Mr. Stanton. We have a formal second by Mr. Toohey. Commissioners, is there discussion on this motion needed?

MS. RUSSELL: Yes.

MR. STRODTMAN: Ms. Russell?

MS. RUSSELL: I think that I agree with Mr. MacMann. We should add to the motion a request for staff to submit an email regarding this tabling to both homeowners associations.

MR. STRODTMAN: Yeah. But you -- is that what your recommendation was, Mr. MacMann?

MR. MACMANN: Yes, it would. Just in the purposes of complete -- although we're not required, we could be as courteous and thorough as possible because it's an obviously an issue of import to many people.

MR. STRODTMAN: Mr. Stanton, would you like --

MR. STANTON: I would happily agree.

MR. STRODTMAN: You're okay with the amendment to your motion to have staff do a formal --

MR. MACMANN: Communication.

MR. STRODTMAN: -- communication to the parties involved?

MR. STANTON: All who have -- both positions, yes.

MR. STRODTMAN: Mr. Toohey, are you okay with that still with your second?

MR. TOOHEY: Yes.

MR. STRODTMAN: Thank you. Any additional questions, Commissioners? I see none. We'll go ahead and have a roll call, Ms. Burns, when you're ready.

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Mr. Harder, Mr. Stanton, Mr. Strodtman, Ms. Russell. Voting No: Ms. Burns, Mr. MacMann. Motion carries 5-2.

MS. BURNS: Five to two, motion carries.

MR. STRODTMAN: Thank you, folks, for coming this evening, and hopefully we'll see everyone on June 22nd. And if not, please do communicate all interested information to Mr. Zenner or any other City staff. We'll give the room a chance to clear --

MR. MACMANN: Thank you, Mr. Chairman.

MR. STRODTMAN: -- and then we'll move on.

MR. MACMANN: I was just going to ask to give them a couple of minutes to get out.

(Off the record)

MR. STRODTMAN So we're going to go ahead -- go ahead and go to our first only public hearing

item of this evening.

VI) PUBLIC HEARING

MR STRODTMAN: And before I get started, at this time, I would like to ask any Commissioner who has had any ex parte communications prior to this meeting related to this case, please disclose that now so all Commissioners have the same information to consider on behalf of this case in front of us this evening. I see none, so we'll go ahead forward.

Case No. 17-74

A request by RUM, Inc. (owner) for approval of a C-P (Planned Business District) development plan/preliminary plat to be known as "Centerstate Apartments C-P Plan & Preliminary Plat". The 36.37-acre subject site is located on the north side of Vandiver Drive, west of Woodard Drive and south of Pioneer Drive.

MR. STRODTMAN: May we have a staff report, please?

MR. ZENNER: Yes, you may, Mr. Chairman. And I would like to apologize for the typographical error in the actual staff report in the description. It's actually a 31.78-acre tract of land. That is what is shown on the C-P development plan. So we had a little bit of a discrepancy there in the acreage.

Staff report was given by Mr. Pat Zenner of the Planning and Development Department. Staff recommends approval of the C-P development plan and preliminary plat.

MR. STRODTMAN: Thank you, Mr. Zenner. Commissioners, any questions for Mr. Zenner? Mr. MacMann?

MR. MACMANN: I have two questions. Director Zenner, you said the arborist felt the changes were fine and I'm just asking for a quick reminder here, and we designated that ability to the arborist, did we not, when we passed the new UDO that they can make those changes?

MR. ZENNER: That is correct. The administration of screening and buffering still lies with the arborist.

MR. MACMANN: All right. The -- I'm glad we have this up. Parcel number -- second question. Parcel number 4, that's a bio-retention pond?

MR. ZENNER: That is. You will notice that there is a storm line that runs into the pond from the development.

MR. MACMANN: All right. My question is as follows: This plan is to sold/transferred, however, that takes place to the City. Right?

MR. ZENNER: That is correct.

MR. MACMANN: Okay. Question: Will the City be maintaining the bio-retention facility for this development?

MR. ZENNER: It is my understanding, through the storm water covenants that will be required as a portion of the construction plans, no. We will have some arrangement through those storm water management requirements allocated, so the storm water retention, and I believe the folks the from

Allstate Engineers that are engineers of record on this can probably provide you with a more thorough answer, but we do have a storm water covenant that will not obligate the City to maintain that, as I understand it, as it's been conveyed to me. The Parks Department wanted a water feature as part of the park, and obviously the applicant needs a water feature in order to meet their storm water requirements. So I'm sure if the covenant doesn't deal with it, the contract of the purchase will.

MR. MACMANN: Okay. I just -- I wanted to make sure that that was the -- given there are ongoing storm water problems and maybe this is -- some of this is a question for Attorney Caldera. Is it -- I mean, they're required to have bio-retention facilities if they don't have bio-retention facilities and it ends up being off site; do you understand -- you understand my concern here, and who's going to pay for this over time?

MR. ZENNER: We do allow that. We do allow off site and we do have developments -- commercial developments or other developments that do have off-site water retention facilities. Landmark Hospital, for example, is one of them. It -- so we do --

MR. MACMANN: Yeah. I do recall.

MR. ZENNER: -- we have a practice by which we have allowed in the past storm water features to be located off site. It happens to be that this is on property we will own, but the maintenance covenant will generally take care of the maintenance responsibility for that.

MR. MACMANN: I just -- there's a lot of i's and t's before we get to the end here, and I know this is preliminary. I just --

MR. ZENNER: And that's what Attorney Caldera and his boss will be reviewing before we get there.

MR. MACMANN: And that's -- I just wanted to get that on the record that these were concerns that I have. Thank you.

MR. STRODTMAN: Any additional questions of staff? I have a question, Mr. Zenner, and you may not know off the top of your head. Is Albert -- Oakland-Albert the closest park? Is -- that would be -- is that -- I was just trying think, where's the nearest park?

MR. ZENNER: Yes. That is -- that is the closest. Albert-Oakland Park, which is to the west.

MR. STRODTMAN: West.

MR. ZENNER: The closest --

MR. STRODTMAN: And a considerable distance. I mean --

MR. ZENNER: The Parks and Recreation Department had indicated, and they had begun negotiations late last year into the early portion where we are in the year, and early this year, after the project had come in, and they have been looking for a park parcel in this particular area probably for the last ten years. Mike Schneider had conveyed that to me. And this opportunity presented itself. It took a little while to work out the details associated to the dedication and the purchase. However, the Parks Department feels that the protection of the existing 100-foot buffer and then the connections of the trails

back down to -- from Pioneer down to Vandiver, and then, of course, the connection that's a private connection more so through the northeast corner of the property from Pioneer to Woodard, are all valuable benefits and assets to this particular area where we currently are underserved by park space. It is my understanding from some conversations and phone calls I have received, the development to the immediate north, there is a higher preponderance of rental housing within that particular area which really doesn't have any public space by which to partake in recreation activities, and this would provide an opportunity. The Parks Department has indicated to me while the money for acquisition exists, the money for actual improvement has not yet been allocated. As is the practice of the Parks and Recreation Department, when opportunities to acquire property present themselves through subdivision development or projects like this, they have a pot of money that they can utilize to act upon that, and then their next ballot issue would most likely either include this particular park or they'd be programming it for a future ballot issue.

MR. STRODTMAN: Thank you, Mr. Zenner. Any additional questions, staff -- or staff -- Commissioners? I see none. I'll go ahead and open this up. It is a public hearing.

PUBLIC HEARING OPENED

MR. STRODTMAN: I would ask that you come forward, give us your name and address, and limit it to three minutes.

MR. BOLTON: Good evening, members of the Commission. My name is Wes Bolton. I'm with Allstate Consultants, 3312 Lemone Industrial Boulevard, 65201. I represent Allstate Consultants here representing the owners, RUM, Inc. We're very happy to be here tonight. As you may have gathered, it's been a long process, but we're very excited about this project. I'll keep my comments brief. Mr. Zenner covered almost everything. As he stated, it's a mixed use. All the uses we're proposing are approved in the zoning. I want to mention that these apartments are not student-centric apartments. This is -- this is market rate workforce apartments. It's nearby to the economic district as well as the highway, so we feel like this is a good spot, as well as it being transitional use from the commercial uses to the existing houses. We spent a good bit of time coordinating with Parks, and we're very excited to bring a park forward with this. Between the park and the loop, we know that this has been identified in the Park priority acquisition area for a long time, and so we're excited to add that to this development. As Mr. Zenner stated, as well, the owners have reached a verbal agreement related to the private covenant related to the restriction for -- for residential uses, so that's been taken care of. We -- they reached a verbal agreement this week, so -- to specifically speak to the pond question that Mr. MacMann had. The pond that's proposed on the parkland is just a wet pond. It's not a bio-retention or anything like that. It's a wet detention pond. Parks actually requested that we utilize that feature on their land and make it bigger so they could have a water feature. We will have some bio-retention on our site that we will maintain and we'll maintain all the storm infrastructure up to it. Parks actually wanted a water feature there. They asked us to bring more storm water to the pond and they had -- they plan to maintain that pond.

MR. MACMANN: Go ahead and finish your comments and we'll talk about that when you're done.

MR. BOLTON: Oh, sure. Sure. Sure. Yeah.

MR. MACMANN: Sure.

MR. BOLTON: So I -- I just wanted to mention, obviously, bio-retention requires a lot more maintenance than something like a wet pond, so I just wanted to make that distinction and let you know that that's how we arrived at the pond location and size was that they asked for that feature. Those are all the comments I have. Any questions you may have?

MR. STRODTMAN: Commissioners, is there any questions for this speaker? Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. So characterizing it as -- I asked if it was a bio-retention feature essentially required for your -- this space that you use and it is not. It is a pond that is getting some storm water to bring water to it; is that a better characterization of what it is?

MR. BOLTON: Yes. It'll be used for detention, so just quantity detention. So just holding the water back, but not treating it or filtering it.

MR. MACMANN: Okay. So -- but this is part of your storm water retention plan?

MR. BOLTON: Correct.

MR. MACMANN: Okay.

MR. BOLTON: Correct. Yeah. You know, we -- we had this site laid out before we got the Parks comment of wanting a park.

MR. MACMANN: Right. And that's why I'm -- yeah. And we often -- you know, where we're going to do it, we're going to put it over to the side or -- you know

MR. BOLTON: Sure. So, that's kind of where the site drains, too, so that's where we had that pond. We also will have another smaller pond on our area that will be used for detention, as well. It was drawn smaller, but Parks asked us to make it bigger so they could have a nicer water feature.

MR. MACMANN: All right. I just -- I just -- like him, I want to get these on the who pays for this and how and what -- I wanted to get that on record, but thank you very much.

MR. BOLTON: Sure. Of course. Of course.

MR. STRODTMAN: Commissioners, any additional questions? I have one. In the staff report, we see -- it looks like there's a cluster or a mixture of one- and two-bedroom apartments between the different lots, but there's no three- or four-bedrooms. Correct? It's all one- or two-bedroom apartments?

MR. BOLTON: That's correct. It's one- and two-bedroom units.

MR. STRODTMAN: Yeah. Any covered parking?

MR. BOLTON: I don't believe there's any covered parking proposed at this time.

MR. STRODTMAN: Okay. Are there any other features for the guests of these apartments? I mean, is there a clubhouse, a pool, not the retention pond -- detention pond, but is there a pool or a clubhouse? Is there any activities planned?

MR. BOLTON: So right off the roundabout, just to the northwest, you can see -- it looks like a small square building with a little area behind it. That's the clubhouse and the pond.

MR. STRODTMAN: Okay. We're at number one, right about one?

MR. BOLTON: Correct. Yes. Correct.

MR. ZENNER: Pool. Pool, you mean?

MR. BOLTON: Yes. I'm sorry. I said pond. I guess you could swim in the pond if you wanted to, but we're going --

MR. STRODTMAN: We do in the country, but I guess --

MR. BOLTON: It's a pool. Yeah. It's a pool, for sure.

MR. STRODTMAN: And that would be -- that would be used by the apartment complex and not the neighborhood?

MR. BOLTON: Correct.

MR. STRODTMAN: And the park property is for the citizens?

MR. BOLTON: Absolutely.

MR. STRODTMAN: Got you.

MR. BOLTON: Yeah. And we tried to make a lot of connections to the surrounding areas, as well.

MR. STRODTMAN: Thank you. I have no additional questions, so thank you, sir.

MR. BOLTON: Thank you.

MR. HOLLIS: Good evening. It's Robert Hollis, VanMatre Law Firm, 1103 East Broadway, here on behalf of the applicant. A pond would be better for Pat, maybe not a pool. Joke. That's Caddyshack. Right?

MR. STRODTMAN: Right. Thank you, Carl.

MR. HOLLIS: Just pointing that out. That's hilarious. Yeah. So I'm only here to answer questions if you have any about -- there was a transportation development district matter that was raised, so I would be happy to answer questions about that, as well as the Menard's issue, which is resolved. We're just working on documentation. So that's all I have.

MR. STRODTMAN: Mr. MacMann?

MR. MACMANN: Thank you, Mr. Chairman. Attorney Hollis, how are you? You have a verbal agreement with Menard's?

MR. HOLLIS: Yes.

MR. MACMANN: To -- do you -- there's no -- my curiosity, when do you plan to get something in writing with them?

MR. HOLLIS: Well, yeah. The Menard's -- the Menard's attorney is in charge of drafting that and has drafted similar documents in the past, so we thought it would be more efficient if that's what -- that's how the responsibilities were allocated, but we're slow, so --

MR. MACMANN: Well, no. And that's fine. I just -- you know, we're -- we're getting along in this process and we have -- the reason I mentioned it is, like, this all sounds great, but we've got a few loose ends that aren't quite tied up yet; that's all.

MR. HOLLIS: Well, except that it's outside the purview of --

MR. MACMANN: And it is, and I was going bring that up. It's a private covenant which we have absolutely no -- that's between you all.

MR. HOLLIS: Right. Right.

MR. MACMANN: But we've had -- we had up north last year a private covenant come back and haunt a project, so that's why I wanted to bring that up.

MR. HOLLIS: I'm confident that we're -- that Menard's and my client will have this resolved and in writing. And, again, it's outside this purview, but --

MR. MACMANN: That's all I had.

MR. STRODTMAN: Ms. Burns?

MS. BURNS: Were there conversations or input from the little notched R-1 area?

MR. HOLLIS: I don't know about a little R-1 area.

MS. BURNS: It's -- well, right -- no. Right here, it's the little notched-out area.

MR. HOLLIS: The O-1?

MS. BURNS: Is it O-1? I'm sorry. I thought it was --

MR. HOLLIS: It's O-1, I think.

MR. BOLTON: That's -- that's R-1.

MS. BURNS: It will be the park.

MR. HOLLIS: It's R-1 today, but it will be the park.

MS. BURNS: Okay. I thought -- it looked like there were some buildings there, and I just didn't know -- on one of the -- on the aerial shot from one of the maps, there looked like there were buildings.

MR. STRODTMAN: Any additional questions, Commissioners? I have a quick question. Explain it -- your TED. How -- how is that applying to the apartments? I mean, it's traditionally a sales tax; correct?

MR. HOLLIS: It is, so it has no bearing whatsoever --

MR. STRODTMAN: No -- no bearing. So they will --

MR. HOLLIS: Not at all.

MR. STRODTMAN: -- they will not contribute to the TED, it would be from the -- the commercial?

MR. HOLLIS: Not at all. Right.

MR. STRODTMAN: I was wondering if you figured out a way to do that.

MR. HOLLIS: Oh, there's a way, but, no. There are no assessments or real estate taxes imposed, so it's just sales tax.

MR. STRODTMAN: Right. Yeah. So they won't contribute?

MR. HOLLIS: Correct.

MR. STRODTMAN: Thank you.

MR. HOLLIS: Thank you.

MR. STRODTMAN: Anyone else who would like to come forward and speak on this item, we would take you at that time. Quite the gentleman, ladies first.

MS. TURNER-MEYERS: Good evening. My name is Nancy Turner Meyers, and I'm a resident of the Third Ward. My home is located at 4508 Mexico Gravel Road, approximately one mile east of the proposed development. I drive by this location approximately three or four times per week, so I consider myself somewhat familiar with and knowledgeable about the area that's under discussion. While I understand there is a need for it, I'm a firm proponent of affordable housing. I have several concerns about the plans for Centerstate Apartments. They could be summarized as relating to density, safety, and recreation, and other accommodations for families who would be the potential residents of these apartments. In terms of densities -- density, according to the Commission report, slightly more than -- well, now we know -- I thought it was 36, approximately, but now it's been amended even down from there to only 31.7-acre tract is the home to 304 units consisting of 176 one-bedroom and 128 two-bedroom family apartments, so I'm assuming that to mean children included, for a potential total of at least 864 residents in this small area. I believe that this space is entirely inappropriate for such a large residential development, especially located where it is adjacent to a busy U.S. Highway -- U.S. 63, and fronted by Vandiver Drive, a busy commercial corridor that's home to several trucking companies, most notably United Parcel Service -- UPS. This location leads me to my second serious concern, which is for the safety of the residents and others who traverse this road. The speed limit currently is 45 miles per hour, and I've often observed cars traveling at higher speeds, especially those exiting from U.S. 63 and the many 18-wheeler trucks heading to and from UPS and other the trucking companies located on this corridor. The recently release Mayor's Task Force on Pedestrian Safety final report and recommendations, a hefty 60-page document, makes very clear that -- although there were a few issues that were controversial in that report, mostly, I gathered, having to do with red-light cameras, but aside from that, pedestrian safety is a major priority for this City with an underlying philosophy of vision zero, meaning that we can prevent accidents by proactive thinking, careful forethought, and planning, and it lays out strategies that can be used in the categories of education, enforcement, and engineering for this to be accomplished. Additionally, there have been numerous local studies and reports on the desirability and walkability of walkable and bikeable neighborhoods. To me, it seems this development is clearly at odds with the recommendations of these reports, given the safety issues, primarily, given the recommendations and the will of the many Columbians that this report -- these reports represent. My final point concerns recreational activities and other activities for the residents, especially children. And I ask you to keep in mind that I wrote this prior to hearing information about the park that is planned, so I wasn't sure exactly what that entailed, and I have to say I still have a question about is this park plan in fact --

has it been secured, because I think that's a major concern, because it doesn't appear to me to be a certainty that there is going to be parkland there providing recreational opportunities for kids. While I'm sure there are going to be sidewalks -- we've heard all about sidewalks, but you've heard of the bridge to nowhere. I'd like to compare it to the sidewalk to nowhere. There's really nowhere to walk out there. What is there around the neighborhood?

MR. STRODTMAN: Ma'am, I'd ask you to wrap it up, if you could.

MS. TURNER-MEYERS: Okay. Okay. That's my main concern, that there -- there isn't anywhere to walk in the neighborhood, so the sidewalks don't help that much. We really do need to take into consideration these are children who, researchers show, and I'm sure your own experience has shown that they need places to play and to run, and I think we can all agree that running out into a dangerous road is not something we want to happen. These are big concerns.

MR. STRODTMAN: Thank you. Commissioners, is there any questions for this speaker? I see none. Thank you, ma'am. Appreciate you coming in. Yes, sir.

MR. SCHROEDE: My name is Walter Schroede, and I live at 2705 Isherwood Drive, where I've lived for 52 years. And when we bought the house, we knew very well that this land was going to be developed. The City is spreading geographically and over those -- that half-century, we've watched it change from George and Mary Frances Ridgeway's proposed development of single-family homes there and they're selling it to Woody Woodard, and then Centerstates comes in, the highway comes in, and it's been a changing scene. And, of course, that's life. I go along with this -- with this proposal. However, I have some questions. I'm a walker, and I have some questions concerning what I heard first, trails, and then, secondly, the word, sidewalks, is being used, particularly on the south edge of Pioneer Drive. This is an unimproved street right now, built on a section line from an old County ingress road into the Ridgeway property, and I don't know where the boundaries of the public right-of-way are. I know there's power lines on the south side, and I'm wondering whether the trail/sidewalk is going to be built on the private property or on City right-of-way, and whether a -- if it's a sidewalk, a concrete sidewalk is going to be built against an unimproved road with no curbs and gutters in it. That sort of puzzles me as to what is really meant in this south side of Pioneer Drive sidewalk to nowhere, as she suggests, because there are no other -- there are no sidewalks anywhere in the Henley Subdivision. Fifty-two years, there have been no sidewalks.

MR. STRODTMAN: Sir, I can maybe try to help a little bit on clarification, just by basically looking at the plan, and I don't know that much more. But it's -- they're sidewalks. I don't think that they're trails. Everything that I see specifically says sidewalks. Now, I may be incorrect on that and we might have to clarify that with the applicant, but it looks to me as that they're sidewalks. And that -- that particular sidewalks, all the sidewalks that I see would be in the City-owned property area. The land that's now currently the applicant's, but will be transferred to the City is where the sidewalks would reside, would be in the City-owned area of the land.

MR. SCHROEDE: It would be under the power lines or on the north side of the property?

MR. STRODTMAN: It looks like the power lines maybe cut across the corner. Am I looking at that right?

MR. SCHROEDE: The power lines go along Pioneer, from Route B, all the way down to Woodard Lane.

MR. STRODTMAN: We'll probably may be requesting one of the applicant's engineers to come forward in here a second to maybe clarify that, if the Commissioners are okay with that. Do you have any additional discussion?

MR. SCHROEDE: The sidewalks will stop at the edge of the developments; is that it?

MR. STRODTMAN: Correct.

MR. SCHROEDE: So if people use the sidewalks, they're going to have get out into Mexico Gravel to continue walking.

MR. STRODTMAN: They would have to go back to where they're walking today, which is Mexico Gravel. So, you know, we have to start the sidewalks somewhere, and eventually we do want connectivity of all of our sidewalks. But we have to start somewhere and I understand this is -- had no sidewalks for 52 years, but this subject site is being redeveloped, so it is our opportunity to require sidewalks on that property. If any of the other properties along Pioneer were to be redeveloped or changed or rezoned or needed to come back forward to us, you also would have to put in a sidewalk in your parcel and eventually we would have connectivity. It may be 52 years from now, but at some point that sidewalk will be connected to something and we have to start somewhere. And this is a big chunk of sidewalk that we're going to get at once as opposed to --

MR. SCHROEDE: Yes, it is.

MR. STRODTMAN: -- 60 feet, 100 feet, or -- you know.

MR. SCHROEDE: I'm very happy to get the sidewalks, but the street will remain an unimproved street.

MR. STRODTMAN: Correct. Until at such time that the City has in their CEPI that they have a plan to address your Pioneer, which I don't know where that stands.

MR. SCHROEDE: And the two connecting lengths between Pioneer and to the south are going to be concrete, too?

MR. ZENNER: That is correct, sir.

MR. STRODTMAN: It's described as sidewalk, so I assume that they'll be concrete, yes. You know, legal sidewalks for a sidewalk purpose. We'll let anybody else speak that would like to, and then we might ask one of the engineers to come back up and clarify that for us, if you don't mind. Thank you for coming up, sir.

MR. KEMBLE: Hi. My name is Nile Kemble. I live at 3000 East Henley. I'm the neighborhood president of the Mexico Gravel Neighborhood Association. I didn't really come tonight knowing much of

anything. I learned this evening I missed an information meeting somehow. I don't think any of the other neighbors were involved in that. I know Brian said he talked to somebody, but nobody that is in our immediate area has come forth to me to discuss that. Ms. Burns, the little notched out area is actually a church, so I don't know if it's zoned R-1, but it's actually a church, so --

MS. BURNS: Thank you.

MR. KEMBLE: Uh-huh. And then the pond is actually just a dry swamp area right now, so a pond would be wonderful.

MR. MACMANN: I have walked it.

MR. KEMBLE: Okay. Okay. What I do want to get on record tonight is that the neighborhood association does have some concerns with the 304 units. That's providing everybody that moves into that -- that development has a car, that's 304 more vehicles using that area. I talked with Mr. Zenner the other day and he informed me that Vandiver was going to be potentially widened to handle the traffic. However, if you go west on Vandiver, once you leave that area, I don't see how you can develop Vandiver going west out of there to meet that kind of traffic need without buying out a lot of businesses. The street just isn't wide enough and there are trucks and things -- vehicles parked along that. Woodard is not going to be able to carry any -- much additional load than what it is right now, just because it's just going to dump it back into Mexico Gravel, which is already still quite busy. We have some concerns over safety. We've watched over the years as -- as you have seen, this development from when it originally was planned has gone nowhere. For whatever reason, nobody wants to come north. And the concern is that in two or three years and this apartment complex doesn't fill, what happens to it? The track record up north isn't real good. It's an elephant in the room; I understand that, but we're not against affordable living, affordable homes, but we are concerned about safety if something were not to go as planned. So that's the concerns we want to bring forward tonight.

MR. STRODTMAN: Thank you. Mr. Kemble, can you -- on the plan that's on your screen, is your HOA, are you on the north side there? Is that --

MR. KEMBLE: We are on the east side. We are the last street before Woodard Drive. That was West Henley, and that's -- that's the street I live on right here.

MR. STRODTMAN: So the entire northern section of homes is not all part of your HOA?

MR. KEMBLE: It is, but a lot of the homes to the west of my home, and the two Henleys is now rental units already. There are apartment buildings tucked back in there, along with the single-family homes that have become rental, so it's -- it's not like there are not apartment complexes in that area.

MR. STRODTMAN: All right. I was just curious where your --

MR. KEMBLE: Okay.

MR. STRODTMAN: -- where your -- where you connected to this, just -- or just like I understood.

MR. KIMBALL: Okay.

MR. STRODTMAN: I didn't know for sure if you were on the far left there on the west. I wasn't

for sure, or the north, so I was just curious.

MR. KIMBALL: More like we're on the east of the -- north and east of that, so --

MR. STRODTMAN: Okay. And I don't know how the communication, but that would be something that I would obviously recommend the applicant make sure that he has -- gets your contact before you leave tonight so --

MR. KEMBLE: I will say Allstate was -- when this all originally started, Allstate was great, and I have no doubt that now that they've heard our concern, that they'll work with us. I just wanted to make sure you guys knew that the neighborhood had concerns, so --

MR. STRODTMAN: Good. Well, we appreciate you coming in and we do -- may have some questions for you, so -- are you okay? Are you done?

MR. KEMBLE: Yeah.

MR. STRODTMAN: Commissioners, is there any questions for this speaker? Mr. Stanton, do you have a questions?

MR. STANTON: Evening. What's your solution? What are your suggestions to fixing your concerns, if it was up to you?

MR. KEMBLE: I don't know right off the top of my head. I -- I got the original notice that this was going on two days ago, so I haven't even had a lot of time to sit down and digest what was going on. Again, I found out tonight I missed an informational meeting. I'm not sure why. I wouldn't be opposed necessarily. I love the park idea. I think that's a great addition to the neighborhood. As they said, Oakland is the closest one, and that's not walkable for small children anywhere near us. Three hundred and four more apartments in a town that just has built multiple, multiple apartment buildings in the downtown area and around town just seems like an awful lot.

MR. STANTON: Less density --

MR. KEMBLE: Density. Yes.

MR. STANTON: And you said safety, so what do you mean, safety? Are you talking traffic safety? Are you talking crime? Are you talking --

MR. KEMBLE: Crime. I mean, again, it's -- a lot of the newer developments in the north end of town quickly become low-income housing. And, unfortunately, there tends to be a crime that goes along with that a lot of times. Not always, but a lot of times. And that's awful close to our neighborhood to have potentially a safety issue.

MR. STRODTMAN: Good, Mr. Stanton?

MR. STANTON: Uh-huh. Thank you.

MR. STRODTMAN: Any additional questions, Commissioners? I see none. Thank you, Mr. Kemble. Any additional speakers like to come forward that have not spoken yet? Please come on up. You can come -- you can come to the podium and ask a question.

MS. RUDEBUSCH: Are you saying on the other proposal that was earlier or is it on this one?

MR. STRODTMAN: We're only talking about -- we're only working on Case 17-74.

MS. RUDEBUSCH: I'll wait. Thank you.

MR. LORANDI: Good evening. My name is David Lorandi; I live at 208 Hirth Avenue, and I'm also a -- an investor here in Columbia. I'm a young citizen of this City. I love this City, and I'm actually just here to -- just a general comment. I'm actually super happy that this is happening -- this development, and especially that this housing will be two-bedroom, one-bath, because that's -- that's a good trend to have for our young people who are just graduating from college and just trying to, you know, get a good job and then just, you know, save money, and then eventually invest into their biggest asset that they will have, a house. So, I just wanted to say that I'm excited to see this development be finished. Thank you.

MR. STRODTMAN: Commissioners, is there any questions for this speaker? I see none. Thank you, sir, for coming.

MR. LORANDI: Thank you.

MR. STRODTMAN: Any additional speakers like to come forward on Case 17-74? Commissioners, did we want to have the engineering group come forward to clarify questions? So, sir, state your name and address again, and just please stick with the question that was at hand and no further exploration.

MR. BOLTON: Absolutely. Absolutely. Wes Bolton, Allstate Consultants, 3312 Lemone Industrial Boulevard, 65201. I just wanted to clarify a couple of points. Related to density, we feel with the park and with the 63 percent green space that we have, it's not a very dense development, much less dense than it could be. We feel like it's making this area of the community much more bikeable and walkable.

MR. STRODTMAN: Can we just -- the sidewalk is really -- we don't want you to have a chance to rebuttal against the other side, so just -- we just want to clarify the sidewalk discussion that the one citizen brought forward --

MR. BOLTON: Okay.

MR. STRODTMAN: -- is just kind of clarify how the sidewalks are going to be structured and --

MR. BOLTON: Oh, I'm sorry. Okay. I misunderstood.

MR. STRODTMAN: No. We just want you to clarify the sidewalks and not give you a chance to rebuttal.

MR. BOLTON: So -- so some of the reason for the confusion between sidewalks and trails, we've been working with Parks for so long to try to make this loop happen. And so, we've called it a trail, we've weaved it a little bit more. The plan that we've put forward is -- is traditional sidewalks all around the entire site at the location inside the City right-of-way where it would normally be required. So we tried to get fancy with it, but we -- we just sent forward a plan with the proposed sidewalks. Now, we have additional sidewalks that are going from on the west side of the property from north to south that aren't in

right-of-way. They're on the private property, just to make sure that it connects all the -- all the infrastructure to make a loop and connects the community.

MR. STRODTMAN: Thank you. Commissioners, are there any questions on the sidewalk discussion matter? Yes, Mr. Stanton?

MR. STANTON: So where are the sidewalks on Pioneer? I think that's what the gentleman was concerned with.

MR. BOLTON: Sure.

MR. STANTON: Are there -- left, right side, or --

MR. STRODTMAN: I think it would back of curb. Is there a curb on Pioneer or is it --

MR. BOLTON: No curb on Pioneer. And so -- so we're dedicating an additional right-of-way.

MR. STANTON: Okay.

MR. BOLTON: So there's a 25-foot half-width right-of-way, so significantly more right-of-way. The road, I believe, is probably 22, 24 feet wide currently, so it'll be a 50-foot right-of-way. The sidewalk will go one foot inside that right-of-way. So it'll -- it'll be outside the ditch, outside the asphalt. I'm not sure where it falls in relation to the power lines off the top of head. I apologize.

MR. STANTON: But you have to take some of that tree line out. Right?

MR. BOLTON: I don't recall.

MR. STANTON: On north side or housing side, that's what I'm trying to --

MR. BOLTON: I don't -- I don't believe so. I think it's -- I believe -- the 100-foot buffer is inside the lot, and so that's not going away. The 100-foot buffer isn't going away at all. There could be some minor clearing at the edge, but -- bit it won't be the 100-foot buffer.

MR. STANTON: Okay.

MR. BOLTON: And then the sidewalk will just be placed in its traditional -- traditional place, where the City requires the sidewalk to be placed within the right-of-way.

MR. STANTON: Okay.

MR. STRODTMAN: Any additional questions, Commissioners, of the sidewalks, specifically? Thank you for coming up. Appreciate that. Sorry for the confusion.

MR. BOLTON: Thank you.

MR. STRODTMAN: Is -- last call for any additional discussion on Case 17-74. I see none. We'll go ahead and close this public hearing.

PUBLIC HEARING CLOSED

MR. STRODTMAN: Commissioners? Mr. Stanton?

MR. STANTON: I heard the concerns from the neighbors that are close. I -- you're right. The north side of town does have a bad track record in its occupancy, but I think that's because their intent wasn't to be rental property. I think like a lot of north side stuff was supposed to be condos and they advertised that way and then 2007, 2008 happened, and they had to do what they had to do. I think this

is different because, number one, we have starving need for one- and two-bedroom units, and those type -- the people that those generally serve are older or upstart young professionals. I don't -- I think the market that they're hitting initially and designing to kind of mitigates that. I'm not saying because, hey, anything can happen, but I think this is a great use of that area and a good adjustment and buffer from the -- the industrial developments behind it, so I plan to support it.

MR. STRODTMAN: Additional ques-- comments, Commissioners? Ms. Russell?

MS. RUSSELL: I agree with Mr. Stanton. There is a definite lack of one- and two-bedroom apartments, affordable living for -- for that area. So, I mean, I could see someone that works at Menard's actually living there. Wouldn't that be wonderful?

MR. STANTON: American Air Filter and --

MS. RUSSELL: I'm going to support this.

MR. STANTON: Yeah.

MR. STRODTMAN: Anybody like to form a motion for discussion? Ms. Russell? Change it up a little.

MS. RUSSELL: In the case of 17-74, RUM, Inc., I move that we approve the C-P plan and the preliminary plat.

MR. TOOHEY: I'll second.

MR. STRODTMAN: Thank you, Ms. Russell, for that motion, and Mr. Toohey for the second. Commissioners, is there any discussion on the motion that is at the table for us? I see none. Ms. Burns, when you're ready.

MS. BURNS: Yes.

Roll Call Vote (Voting "yes" is to recommend approval.) Voting Yes: Mr. Toohey, Ms. Burns, Mr. Harder, Mr. MacMann, Mr. Stanton, Mr. Strodtman, Ms. Russell. Motion carries 7-0.

MS. BURNS: Motion carries seven to zero.

MR. STRODTMAN: Recommendation for approval will be forwarded to City Council for their consideration.

VII) COMMENTS OF THE PUBLIC

MR. STRODTMAN: Ma'am, I think you were wanting to speak, so you're welcome to come forward if that was your intent, but please come forward to podium. If anybody would like to speak, come to the podium and give us your name and address again. We just like to get to know you.

MS. RUDEBUSCH: I appreciate this, and I don't have comments, I have questions, if that's proper.

MR. STRODTMAN: We can see what they -- give us name and address first.

MS. RUDEBUSCH: Sheryl Rudebusch. I'm a resident of Vintage Falls, Plat 1. And so, I came with the other residents --

MR. STANTON: And address?

MS. RUDEBUSCH: -- on 17-132.

MR. STRODTMAN: Okay.

MS. RUDEBUSCH: All right. And I have a few questions. It's just I'm kind of a process and a procedure person, so -- and I don't know how you work. So with all due respect, I'm just wondering when did the Commission receive the request to table that issue?

MR. STRODTMAN: This evening when we came to --

MS. RUDEBUSCH: This evening when you came. Okay. Well, that explains why, because my next question was going to be there were 117 people that signed the petition and there were 41 letters of opposition, and I just was curious why, you know, no one received word. But if you didn't get it until that time. This term --

MR. STRODTMAN: I can't speak on behalf of staff, but the Commission, we did not receive it until this evening.

MS. RUDEBUSCH: Did not. I get it.

MR. STRODTMAN: So I'm just clarifying.

MS. RUDEBUSCH: All right. And then the term table, in my world, that means it's the same issue that will come back. So they will be back on the 22nd with a request to rezone to the same multi-family; is that what --

MR. STRODTMAN: It's the same case, but it could be different. We do not know what is going to be coming back to us until it's in front of us, because there may be changes made between now and then that --

MS. RUDEBUSCH: And it sounds like that's their desire, to get some win-wins.

MR. STRODTMAN: Typically, when the table request is made by an applicant, it is to further discuss with the citizens or another property owner some matter.

MS. RUDEBUSCH: How will --

MR. STRODTMAN: So it gives them time to resolve an issue if there is an issue --

MS. RUDEBUSCH: Sure.

MR. STRODTMAN: -- before it comes back in front of us so that it hopefully is a mutual agreement. It's a win-win, as Mr. Stanton likes to say, and it may not be, either.

MS. RUDEBUSCH: Right. And that -- that makes sense. So, how will we know what is being presented? Will it be -- again, I'm asking will it be printed. I saw online what was I thought going to be discussed tonight, so that will be out there four days in advance? It won't be at the last hour before the meeting. Correct?

MR. STRODTMAN: The -- Mr. Zenner -- but, yes. I mean, the information will be posted online that would be reviewed that evening for our P & Z.

MS. RUDEBUSCH: Okay.

MR. STRODTMAN: When would that be -- information be online or available, Mr. Zenner?

MR. ZENNER: I -- you know, I am unable to answer that question given the fact that I do not know what the applicant or the applicant's agent may discuss and when with the HOA.

MR. STRODTMAN: Right.

MS. RUDEBUSCH: It sounds like then you're open until the end.

MR. ZENNER: The report -- the report that will be produced if we do not have any information provided to us is the report that was published this evening. It is possible, and I believe I have explained this to other members of your neighborhood association, that an applicant can request a change in the requested zoning classification during their presentation here at our Planning and Zoning Commission --

MS. RUDEBUSCH: Okay.

MR. ZENNER: -- to downzone that property to a more restrictive zoning classification for which we will not have a staff report for. We may not be informed of that prior to the production deadline for our next Planning and Zoning Commission meeting. Therefore, we will not be able to produce any type of advance notification.

MS. RUDEBUSCH: Okay.

MR. ZENNER: In that particular instance, one of two things may end up happening. The Planning and Zoning Commission does have within its purview to request that the item be tabled again to allow for a more thorough analysis of the revised request or the Planning and Zoning Commission may act upon that revised request because it is normally deemed more restrictive than what is being asked for. A lot of that is going to depend on the conversation that the homeowners association and the applicant and their client or their engineer --

MS. RUDEBUSCH: Uh-huh.

MR. ZENNER: -- have before June 22nd. If you still are all in opposition to the request, even if it is amended to a more restricted zoning classification, that is going to be something that will be heard by the Planning and Zoning Commission on the June 22nd meeting.

MS. RUDEBUSCH: Right. Okay.

MR. ZENNER: We will endeavor, if we are provided advanced notification in time for us to produce a staff report of some nature.

MR. STRODTMAN: That's different than the one --

MR. ZENNER: That is different than what is in the actual published packet that was for this evening's meeting, to put that out before our application deadline for the June 22nd meeting.

MS. RUDEBUSCH: I understand.

MR. ZENNER: I am currently not staffed to the capacity by which I can pull my staff members off of material in order to produce a full analysis of a request to change a zoning classification, and I have discussed this matter with Mr. Smith. And what you may see, if we are given advance notice, is a supplemental cover memo that indicates that the applicant has requested a change from this to this, and these are the bullet points that we will expand upon during the public presentation. That may be all the

time we have in order to produce a revised staff report. Our staff reports are due out a week prior to the actual public hearing and, again, unfortunately, like many of our City departments, I do not have enough staff and I can't do something at the very last moment. It is the applicant's choice to keep us informed.

MS. RUDEBUSCH: Well, that background is very helpful. I appreciate that.

MR. ZENNER: And -- yeah. And it would be -- if the homeowners associations are interested in working with the applicant, it is, I believe, your responsibility, as well, to reach out to the applicant or the applicant's agent and arrange a meeting as quickly as possible so we have the ability to produce an analysis that I think would be satisfactory to both parties.

MS. RUDEBUSCH: Right. Well, and -- and if my understanding is clear, the applicant could still come in and add a last-minute change? That's up to them.

MR. ZENNER: They very well could.

MS. RUDEBUSCH: Right.

MR. STRODTMAN: There could be another tabling request. There could be a change.

MS. RUDEBUSCH: Right. Right.

MR. STRODTMAN: It could be, as it was presented tonight, nothing is changed, and there was no outreach to you guys, and we'll be -- you know, we're presented the deal and --

MS. RUDEBUSCH: Sure. Sure. Well, I was very impressed with what your staff, if that's who it was, prepared the report that I printed this afternoon off line. It was very comprehensive. It was worded in, I felt, a very intelligent conversation compared to our letters, because we kind of reacted as a community on what was going on or what we didn't know. So I appreciate what your staff did. It just kind of threw me tonight and that's why I needed to ask those questions. So I guess that answers my questions. You took it further than I thought and I appreciate that.

MR. ZENNER: And I would suggest strongly if you have additional inquiry about the project or where we are in that process, what we have been informed, Clint Smith is the staff member -- my staff member that is responsible for the report.

MS. RUDEBUSCH: So we could call in and see if there were any last-minute additions?

MR. ZENNER: Last-minute changes. You're more than welcome to do that. I --

MS. RUDEBUSCH: And who would we call?

MR. STRODTMAN: Clint -- Clint Smith.

MR. ZENNER: Clint Smith.

MR. STRODTMAN: Clint Smith at -- if you go to the same website that --

MS. RUDEBUSCH: Yeah.

MR. STRODTMAN: He'll be --

MR. ZENNER: And if you would -- just out of curiosity, because I think part of what's been discussed this evening is potentially a lack of communication through our regular protocol, which is notification of property owners within 185 feet of the actual subject site, and then homeowners

associations within 1,000 feet. Did you receive a postcard from the City or a letter from the City in regards to this hearing?

MS. RUDEBUSCH: The secretary of Plat 1 put a postcard on all our doors before your other meeting, and I assume she did it, but maybe it came from all of you. Our association has been really good to keep us informed. And then in looking at the newspaper notice that you all had put out there, I went to the site this afternoon and found the information very thorough. I always like to know what the agenda is, so I appreciate everything that you do do. It just kind of threw me tonight, so I wanted to ask a little more about procedure. I'm not familiar with Planning and Zoning, so --

MR. STRODTMAN: Well, most people aren't.

MS. RUDEBUSCH: Thank you so much.

MR. STRODTMAN: You're welcome. And thank you for coming up and clarifying that. It helps us. Thank you.

MR. ZENNER: Thank you.

MR. STRODTMAN: And please come back on the 22nd.

MS. RUDEBUSCH: Oh, we will.

MR. STRODTMAN: We assume so. We like -- we love to hear the citizens. Any additional comments from the public? I see none.

VIII) COMMENTS OF THE STAFF

MR. ZENNER: Comments of the staff. We will be having your next meeting on June 22nd, but as in big, bold letters, you will not be having a work session. We will continue our work session discussion on the recoding of our C-2 zoning district anomaly properties at your July 6th meeting. Please enjoy your early June 22nd evening off. There will be no meal service, either, prior to that meeting. So please show up at 7:00 p.m., and we will have an agenda out to you a week prior. You do have a number of items on the agenda, several that came off of this evening's agenda, obviously, but a couple of ones that are new. The Vineyards Preliminary Plat No. 3, this is a revised preliminary of The Vineyards Subdivision on the north side of the creek, north of where the new elementary school is being built. We have 17-119, which was Mill Creek Meadows. That was a project that we had previewed for you at your last Planning and Zoning Commission meeting. This is a preliminary plat off of Old Mill Creek Road just before it bends into Route KK. And then you have three public hearings, two of which were tabled from this evening's meeting, both 128 and 132. And then the newest one that we are adding is what you were provided a preview of during our capital improvement plan presentation by our Parks and Recreation Department. It is the Columbia Indoor Sports Complex at Philips Lake. This is on the north end of the Philips Lake Recreation Area. This is the basketball facility and clubhouse that would be built in order to allow for additional basketball facilities as well as other recreational opportunities to be created on the southern portion of the -- of the City's corporate limits. The maps associated with this, just so you're familiarized, we have here The Vineyards. Many of you are familiar with where The Vineyards is, Elk

Park Drive and the Elks Lodge. The piece of property that we're dealing with is behind the Elks Lodge, in essence, to the south, and wraps back around to the El Chaparral Subdivision. This graphic, unfortunately, I apologize, is a little bit dated. The actual preliminary -- the revision to the preliminary will go all the way around this lake that you see here which has been acquired by the City, all the way over to the El Chaparral Subdivision. We are revising the preliminary plat and have a new road alignment that will tie a cul-de-sac into the planned development property that is on the western portion of this piece here. And then it also includes this particular portion of The Vineyards that is to the north of what was, I believe, Phase 2. So that is The Vineyards revision. There's a new lotting arrangement in there, as well as some new residential lots. Mill Creek Meadows, this is, as I said, south Mill Creek Drive just before you get to Route KK. And then our Discovery Park project and our Savoy rezoning request, which were tabled from this evening's meeting, and then the Philips Lake, the clubhouse or sports complex property there up right at the northeast corner of the property which would be accessed initially off of Philips Farm Road, which goes between the existing office development there at Discovery Park, and will ultimately be tied into an extension of Bristol Lake Parkway, which is here on the western side of the park and it will ultimately come back up and tie back into the Woodhaven property towards Old Nifong. And those are the items that you have for the June 22nd meeting. I believe that we -- you may or you may not see 117 - or 17-119. We are still working through some issues associated with that. Interestingly enough, that is our first preliminary plat that is going through the entire new Unified Development Code. So not only is the applicant's engineer a little bit confused, so is staff, and we are trying to work through some of that confusion in order to make the project work and be effective. Mr. Brush has been wonderful to work with. He's very accommodating with us and we're getting close. Unfortunately, we weren't close enough for this meeting. And then, of course, the Discovery Park project we do anticipate on having the access easement issue to service Lot 5A, which would be an individual lot for, again, as I said, the clubhouse. That item should be resolved, as well, in order to allow the revision to the PD plan to be able to be moved forward and then a subsequent final plat to be forwarded to City Council under separate cover. Thank you this evening for your attention and for your patience as it related to some of our changes in our agenda, and look forward to seeing you in a couple of weeks.

MR. STRODTMAN: Thank you, Mr. Zenner, for those comments.

IX) COMMENTS OF THE COMMISSION

MR. STRODTMAN: Commissioners, comments? Mr. Stanton?

MR. STANTON: I move to adjourn.

MR. STRODTMAN: Before you do that, anything else? Before we adjourn, Mr. Zenner, have a great vacation, well deserved. Come back refreshed, energized, and ready to tackle whatever is in front of us.

MR. ZENNER: You should be very careful about how you ask me to come back energized. I could work you like slaves again.

MR. STRODTMAN: You already have.

X) ADJOURNMENT

MR. STRODTMAN: Mr. Stanton?

MR. STANTON: I move to adjourn.

MR. STRODTMAN: Second?

MS. RUSSELL: Second.

MR. STRODTMAN: We have a motion and a second. All in favor.

(Unanimous vote for approval.)

MR. STRODTMAN: Thank you. Have a great evening.

(The meeting adjourned at 8:37 p.m.)

(Off the record)